

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-288
HOUSE BILL 638

AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, GATES, HERTFORD, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY TWO OR MORE UNITS OF LOCAL GOVERNMENT LOCATED IN THOSE COUNTIES AND TO AUTHORIZE THE COUNTIES OF GATES AND HERTFORD TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANK AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES.

The General Assembly of North Carolina enacts:

Section 1. As used in this act, "provisionally approved septic tank or innovative septic tank system" means a septic tank system located in soil that is classified as provisionally suitable or an innovative septic tank system, as those terms are used in Subchapter 18A of Chapter 18 of Title 15A of the North Carolina Administrative Code, G.S. 130A-343, and any applicable local rules or ordinances.

Section 2. As used in this section, "unit of local government" has the same meaning as in G.S. 160A-460. One or more units of local government located in the Counties of Camden, Chowan, Currituck, Gates, Hertford, Pasquotank, Perquimans, Tyrrell, and Washington may establish a joint agency for the purpose of owning and operating a provisionally approved septic tank or innovative septic tank system as provided in Article 20 of Chapter 160A of the General Statutes. The owner of any provisionally approved septic tank or innovative septic tank system may, upon acceptance by a joint agency established under this section, transfer ownership of any real or personal property or interest therein that is a part of or used in connection with the provisionally approved septic tank or innovative septic tank system to the joint agency. Notwithstanding G.S. 160A-462(a), a joint agency created pursuant to this section may hold real property necessary to the undertaking. Any county named in this section may accept real or personal property described in this section from the owner of the property for transfer to a joint agency established as provided in this section.

Section 3. The Counties of Gates and Hertford may adopt an ordinance providing that any fee for the inspection of a provisionally approved septic tank or other innovative septic tank system may be billed as property taxes, may be payable in the same manner as property taxes, and in the case of nonpayment, may be collected in any

manner by which property taxes can be collected. If the ordinance states that delinquent fees can be collected in the same manner as delinquent real property taxes, the delinquent fees are a lien on the real property described on the bill that includes the fee.

Section 4. This act is effective when it becomes law. Section 3 of this act applies to fees imposed for inspections performed on or after the date this act becomes law.

In the General Assembly read three times and ratified this the 14th day of July, 1999.

s/ Dennis A. Wicker
President of the Senate

s/ James B. Black
Speaker of the House of Representatives